

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

DANIEL OKONEK, Plaintiff, vs. EXPERIAN INFORMATION SOLUTIONS, INC., EQUIFAX, INC., & CMRE FINANCIAL SERVICES, INC.; Defendants.	} } } } } } } } } } }	CASE NO.: 1:21-cv-182 NOTICE OF REMOVAL
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NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. § 1446(a), Defendant CMRE FINANCIAL SERVICES, INC. (“Defendant”) hereby removes to this Court the civil action described below, as it involves a federal question.

1. On January 13, 2021, Plaintiff DANIEL OKONEK (“Plaintiff”) filed a civil action in the State of Texas Superior Court, Travis County, entitled *DANIEL OKONEK v. CMRE FINANCIAL SERVICES, INC. et. al.*, Case No. J5-CV-20-258614. A true and correct copy of Plaintiff’s Complaint is attached hereto as Exhibit A.

2. Plaintiff’s Complaint was served on Defendant by process server on February 12, 2021.

3. Therefore, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) within the 30-day removal period.

4. Upon information and belief, Defendant does not believe that Defendant EXPERIAN INFORMATION SOLUTIONS, INC. has been ascertained or served with the Summons and Complaint at this time. Defendant EQUIFAX, INC. has not yet appeared or otherwise answered the Summons and Complaint.

5. This action involves a federal question in that it arises under the Fair Credit Reporting Act (15 U.S.C. §1681) (the “FCRA”). It is therefore an action of which this Court has original jurisdiction under 28 U.S.C. §1331, and may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. §1441(a). In this regard, Plaintiff alleges in the Complaint violations under the FCRA; these behaviors are governed by Fair Credit Reporting Act. (See Exhibit A.)

6. Venue is proper in this district under 28 U.S.C. §1441(a) because this district and division embrace the place where the removed action has been pending.

7. Plaintiff’s Complaint does not include a demand for a jury trial.

8. Defendant will promptly file a copy of this Notice of Removal with the clerk of the State Court where the action has been pending.

Respectfully submitted,

Dated: February 25, 2021

/s/ Ashley R. Presson

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Attorneys for Defendant
CMRE FINANCIAL SERVICES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of February, 2021, a true and accurate copy of the foregoing NOTICE OF REMOVAL was filed with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to registered users. Additionally, a true and accurate copy of the foregoing NOTICE OF REMOVAL was served via mail on the following person:

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